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November 12, 2021

Filed Via ECF

Honorable Paul A. Crotty
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: In re Energetic Tank, Inc.
S.D.N.Y. 1:18-cv-01359 (PAC)

Dear Judge Crotty:

Pursuant to the terms of the Stipulated Protective Order Regarding Confidential Information and the Stipulated Supplemental Protective Order Regarding Confidential Information (ECF Nos. 114, 140), the United States respectfully moves the Court for leave to seal all admitted trial exhibits which contain confidential information that may be subject to U.S. export laws and regulations, the International Traffic in Arms Regulation ("ITAR"), 22 C.F.R. § 120, et seq., and National Defense Information (NDI) within the meaning of 18 U.S.C. § 793(d) and (f).

The following exhibits containing ITAR and/or NDI were admitted by the Court during the United States'/Claimants' case-in-chief: Exhibits 86, 88, 383, 384, 446, and 4030.

The following exhibits containing ITAR and/or NDI were admitted by the Court during Petitioner's case-in-chief: Exhibits 73, 87, 89, 90, 91, 94, 95, 96, 97, 98, 132, 162, 163, 164, 166, 167, 168, 279, 359, 362, 365, 366, 376, 377, 378, 429, 443, 464, 465, 533, 4028, and 4029.

The Supplemental Protective Order Regarding Confidential Information requires that export documentation be maintained under seal by the Court. (ECF No. 140, ¶ 17). The United States requests that the documents remain under seal through the closure of the case.

WHEREFORE, the United States respectfully moves for leave to seal the above-listed trial exhibits admitted by the Court because they contain confidential information subject to Protective Orders. No party will be prejudiced by the relief sought herein.

Respectfully submitted,

s/ Jessica G. Sullivan

Jessica G. Sullivan

Trial Attorney

U.S. Department of Justice

cc: All Counsel per ECF Filing

11-15-21

No order except with
regard to 4028 / 4029 which are
denied without prejudice upon a
proper showing

So ordered
Paul A. Gault
11/15/21